

## **REMARKS**

This is a full and timely response to the non-final Office Action mailed October 13, 2004. Upon entry of the amendments in this response, claims 29 – 56 are pending. In particular, Applicants have added claims 29 – 56 and have canceled claims 1 – 28 without prejudice, waiver, or disclaimer. Applicants should not be presumed to agree with any statements made by the Examiner in the Office Action unless otherwise specifically indicated by the Applicants. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Amendment to the Specification**

Applicants have amended the specification to reflect changes in the status of related applications. Specifically, the specification has been amended to reflect that U.S. Application Nos. 08/818,037, 08/627,062, and 08/732,668, have issued as U.S. Patent Nos. 6,230,203, 5,790,806, and 5,966,163, respectively.

Additionally, the specification incorrectly listed U.S. Patent Application No. 08/732,668 as having application number “08/738,668.” Accordingly, the typographical error has been corrected through the instant amendment to reflect the correct application number (which now matches that listed on the Filing Receipt mailed to the Applicants on February 26, 2004).

### **II. The Double-Patenting Rejection of Claims 1 – 28 is Moot**

The Office Action indicates that claims 1 – 18 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 18 of U.S. Patent Number 6,230,203. The Office Action further indicates that claims 19 – 28

are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19, 20, 22, 23 and 26 – 28 of copending Application No. 09/588,211.

However, for at least the reason that claims 1 – 28 have been canceled, Applicants submit that the double patenting rejection to claims 1 – 18, and the provisional rejection to claims 19 – 28, is moot.

### **III. The Rejection to Claims 19 - 28 Under 35 U.S.C. §102(e) is Moot**

The Office Action rejected claims 19 - 28 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,308,328 to Bowcutt ("*Bowcutt*"). However, for at least the reason that claims 19 – 28 have been canceled, the rejection of claims 19 – 28 under 35 U.S.C. §102(e) is moot.

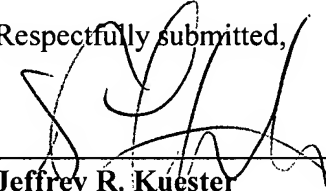
### **IV. Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### **CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed and that the pending claims are in condition for allowance. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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